

MESSAGE NO: 6209306 MESSAGE DATE: 07/27/2016

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 81 FR 47758 FR CITE DATE: 07/22/2016

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-802

EFFECTIVE DATE: 07/18/2016 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/04/2016 TO 07/17/2016

Notice of Lifting of Suspension Date: 07/22/2016

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain frozen warmwater shrimp from the Socialist Republic of Vietnam for the period 05/04/2016 through 07/17/2016 (A-552-802)

1. On 07/18/2016, Commerce entered into a settlement agreement to compromise its claims for duties with respect to certain entries of subject merchandise exported by the Minh Phu Group (see below) (see 81 FR 47758, 07/22/2016).

Exporter: Collectively Minh Phu Group

Minh Phu Seafood Export Import Corporation (and affiliates Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd.), aka

Minh Phu Seafood Corp., aka

Minh Phu Seafood Corporation, aka

Minh Phu Seafood Pte, or

Minh Qui Seafood, aka

Minh Qui Seafood Co., Ltd., aka

Minh Qui, or

Minh Phat Seafood Co., Ltd., aka

Minh Phat Seafood, aka

Minh Phat Seafood Corp., aka

Minh Phat, or

Minh Phu Hau Giang Seafood Joint Stock Company, aka

Minh Phu Hau Giang Seafood Corp., aka

Minh Phu Hau Giang Seafood Processing Co., Ltd., aka

Minh Phu Hau Giang Seafood Co., Ltd.

Case number: A-552-802-004

Note to CBP: Where "Minh" in the name "Minh Phu Seafood Corp." is misspelled as "Mihn," please consider them as the same entity.

2. In accordance with the settlement agreement discussed in paragraph 1, for all shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam exported by the Minh Phu Group, imported by or sold to (as indicated on the commercial invoice or Customs documentation) Mseafod Corporation and entered, or withdrawn from warehouse, for consumption during the

period 05/04/2016 through 07/17/2016, liquidate the entries without regard to antidumping duties (i.e., release all bonds and refund all cash deposits without interest).

3. Special instructions to impacted Ports of Entry: Prior to the impacted Ports of Entry executing these liquidation instructions, please retrieve all physical copies of the associated entries and then contact, via email, Bruce Ingalls (BRUCE.INGALLS@CBP.DHS.GOV) and Kara Welty (KARA.N.WELTY@CBP.DHS.GOV) for further specific liquidation instructions.

4. Liquidation instructions for shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam exported by the Minh Phu Group, imported by or sold to (as indicated on the commercial invoice or Customs documentation) any firm other than Mseafood Corporation and entered, or withdrawn from warehouse, for consumption during the period 05/04/2016 through 07/17/2016, will be issued in a separate liquidation message.

5. The notice of lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of the settlement agreement referenced in paragraph 1 (see 81 FR 47758, 07/22/2016). Unless instructed otherwise, for all other shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. The interest provisions of section 778 of the Tariff Act of 1930, as amended, do not apply to the entries described by paragraph 2.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:IG)

9. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party